

01-24-00

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## UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No: D-2875

Total Pages in this Submission

## TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application

Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 CFR 1.53(b) is a new utility patent application for an invention entitled:

## CLOSTRIDIAL TOXIN DERIVATIVES AND METHODS FOR TREATING PAIN

and invented by:

STEPHEN DONOVAN

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

## Enclosed are Application Elements:

- ☒ Filing Fee
- ☒ Specification having      page(s) and including the following:
- ☒ Title of the Invention
  - ☐ Cross References to Related Applications (if applicable)
  - ☒ Background of the Invention
  - ☒ Brief Summary of the Invention
  - ☐ Description of the Drawings
  - ☒ Detailed Description
  - ☒ Claim(s) as Classified Below
  - ☒ Abstract of the Disclosure
- ☐      Sheets of Drawings(s) (37 CFR 113) ☐ Formal ☐ Informal
- ☒ Oath or Declaration ☒ Executed ☐ Unexecuted
- ☐ Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- ☒ Power of Attorney ☒ Executed ☐ Unexecuted
- ☐ Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- ☐ Incorporation By Reference -- The entire disclosure of the prior application from which a copy of the oath or declaration is supplied under the above entry, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ Computer Program in Microfiche (Appendix)

## Accompanying Application Parts

- ☐ Assignment Papers (cover sheets & documents(s))
- ☐ The prior application is assigned of record to
- ☐ Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
- ☐ English Translation Document (if applicable)

- [X] Information Disclosure Statement/PTO-1449 [X] Copies of IDS Cited Reference(s)
- [ ] Preliminary Amendment
- [X] Acknowledgment postcard
- [ ] Verified Statement(s) to Establish Small Entity Status Under 37 CFR 1.9 and 1.27
- [ ] Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- [X] Certificate of Mailing by Express Mail
- [ ] Certified Copy of Priority Document(s) (if foreign priority is claimed)
- [ ] Copy of Request for Extension of Time (1 month) in application


### Fee Calculation and Transmittal

\* The filing fee is calculated on the basis of the claims existing in the prior application as amended by the accompanying preliminary amendment noted above.

CLAIMS AS FILED					
For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	66	- 20 =	45	X \$18.00	\$828.00
Independent Claims	8	- 3 =	5	X \$78.00	\$390.00
Multiple Dependent Claims (check if applicable) [ ]					\$ 0.00
BASIC FEE					\$690.00
OTHER FEE (specify purpose)					\$ 1908.00
SMALL ENTITY STATUS (Applicant has small entity status under 37 CFR 1.9 and 1.27)					--
TOTAL FILING FEE					\$1908.00

- [ ] A check in the amount of \$ \_\_\_ to cover the filing fee and the assignment fee is enclosed.
- [x] The Commissioner is hereby authorized to charge and/or credit Deposit Account Number **01-0885** as described below.
- [x] Charge the amount of \$1908.00 as filing fee.
- [x] Credit any overpayment.
- [x] Charge any additional filing fees required under 37 CFR 1.16 and 1.17.

Respectfully Submitted,

  
 FRANK J. UXA  
 Attorney for Applicant  
 Reg. No: 25,612

4 VENTURE, SUITE 300  
 IRVINE, CA 92618  
 phone: 949-450-1750  
 fax: 949-450-1764

D-2875

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT

In the application of: )  
DONOVAN ) Group Art Unit: N/A  
Serial No. N/A ) Examiner: N/A  
Filed: Submitted herewith )  
For: CLOSTRIDIAL TOXIN DERIVATIVES )  
AND METHODS FOR TREATING PAIN )

Express Mail Mailing Label No. EL405194145US

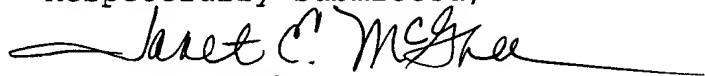
Date of Deposit: January 19, 2000

I hereby certify that the following documents as identified below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231:

1. Application Trans. Ltr. + 2 copies, w/ deposit account authorization;
2. Application and Declaration;
3. Information Disclosure Statement;
4. PTO 1449 and cited references; and
5. Return postcard.

The above-identified 5 documents are enclosed herewith.

Respectfully submitted,



Janet E. McGhee  
Office of Frank J. Uxa  
Attorney for Applicant  
Reg. No. 25,612  
4 Venture, Suite 300  
Irvine, CA 92618  
(949) 450-1750  
Facsimile (949) 450-1764

[illegible]

January 19, 2000

SEE THE EXPRESS MAIL CERTIFICATE ATTACHED TO THE APPLICATION.